

THE HONORABLE RICARDO S. MARTINEZ

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	No. CR06-159RSM
)	
vs.)	
)	
BERNARD R. CASEY,)	ORDER GRANTING DEFENDANT'S
)	MOTION TO CONTINUE TRIAL
Defendant.)	AND PRETRIAL MOTIONS
)	DEADLINE

Before this court is the defendant's motion for continuance of the trial which is presently scheduled to commence on July 18, 2006. The defendant requires additional time so that further work may be done on pretrial motions; so that witnesses may be located, interviewed and secured for testimony at trial; and that defendant may complete trial preparation. The government has filed no opposition or objection to the present motion.

That the court finds, after a consideration of all relevant information and the circumstances of this case, that without this continuance the defendant will be prejudiced and the ability to properly prepare for trial would be impaired. Failure to grant a continuance under these circumstances would result in a miscarriage of justice. The ends of justice would

ORDER GRANTING DEFENDANT'S MOTION
TO CONTINUE TRIAL DATE AND
PRETRIAL MOTIONS DEADLINE - 1

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best be served by the granting of the motion for continuance. The ends of justice outweigh the best interests of the public and the defendant in having the matter brought to trial sooner. For these reasons, the court finds the defendant's motion for continuance should be granted. The trial scheduled for July 18, 2006 is VACATED. Trial shall be RESCHEDULED TO October 23, 2006 in Seattle, Washington. It is further ORDERED that pretrial motions cutoff date of June 15, 2006 is EXTENDED to August 11, 2006.

Any and all period of delay resulting from the granting of this continuance, from the date of the filing of the defendant's motion until the date of the rescheduled trial, shall be excludable time pursuant to 18 U.S.C. §§ 3161(h)(1)(F) and (h)(8)(A).

IT IS SO ORDERED.

DONE IN OPEN COURT this 16th day of June, 2006.



RICARDO S. MARTINEZ
UNITED STATES DISTRICT JUDGE

Presented by:

LAW OFFICES OF MONTE E.
HESTER, INC., P.S.
Attorneys for Defendant

By: _____/s/_____
Wayne C. Fricke
WSB #16550

ORDER GRANTING DEFENDANT'S MOTION
TO CONTINUE TRIAL DATE AND
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